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8 **Attorneys for Plaintiffs**
9 **J & J Sports Productions, Inc.**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **J & J Sports Productions, Inc**
13 **Plaintiff,**

14 **vs.**

15 **Israel Valencia Garcia, et al.**

16 **Defendant.**

17 **CASE NO. 5:08-cv-00990 PVT**

18 **PLAINTIFF'S *EX PARTE***
19 **APPLICATION FOR AN ORDER**
20 **CONTINUING CASE MANAGEMENT**
21 **CONFERENCE; AND ORDER**
22 **(Proposed)**

23 Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order continuing the
24 initial Case Management Conference in this action, presently set for Tuesday, June 10, 2008 at 2:00 p.m.
25 to a new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by
26 the fact that Plaintiff only recently perfected service of process as to the Defendant named to this action.¹
27 Plaintiff awaits receipt of the Proof of Service which will be filed with this Court promptly thereafter.

28 In addition, as of this writing, Plaintiff has yet to receive an answer or any other responsive
pleading from the Defendant and the Defendant has not contacted Plaintiff's counsel following service
of the suit papers. As a result, Plaintiff's counsel has not conferred with the Defendant concerning the
claims, discovery, settlement,

¹ Plaintiff informed by its process service firm that Defendant Israel Valencia Garcia was personally served on
Wednesday May 28, 2008 at approximately 6:10 p.m.

1 ADR or any of the other pertinent issues involving the case itself or the preparation of a Case
2 Management Conference Statement.

3 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Case
4 Management Conference presently scheduled for Tuesday June 10, 2008 to a new date approximately
5 thirty (30) to forty-five (45) days forward in order that responsive pleadings may be filed by the
6 remaining Defendant and Plaintiff's counsel may thereafter confer with the Defendant and/or his
7 counsel and thereafter prepare and file a Joint Case Management Conference Statement for the Court's
8 review.

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11 Respectfully submitted,

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14 Dated: June 3, 2008

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc

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ORDER (Proposed)

It is hereby ordered that the Case Management Conference in civil action number 5:08-cv-00990 PVT styled *J & J Sports Productions, Inc. v. Israel Valencia Garcia, et al.*, is hereby continued from 2:00 p.m., Tuesday, June 10, 2008, to _____.

The Parties shall file a Joint Case Management Statement in advance of the Case Management Conference pursuant to the Local Rules and the Standing Order of this Court.

Plaintiff shall also serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED:

Dated: _____

THE HONORABLE PATRICIA V. TRUMBULL
United States District Court
Northern District of California

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On, June 3, 2008, I served:

PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER CONTINUING CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Israel Valencia Garcia (Defendant)
1007 Barnes Street
Mission, TX 78572

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on June 3, 2008, at South Pasadena, California.

Dated: June 3, 2008

/s/ Terry Houston

TERRY HOUSTON